

# Exhibit 3

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

TRACY CAEKAERT and CAMILLIA MAPLEY,  
PLAINTIFFS,  
-against- Case No.:  
CV-20-52-BLG-SPW

WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW  
YORK, INC., and WATCH TOWER BIBLE AND TRACT  
SOCIETY OF PENNSYLVANIA,

DEFENDANTS.

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ARIANE ROWLAND and JAMIE SCHULZE,

PLAINTIFFS,

-against- Case No:  
CV-20-59-BLG-SPW

WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW  
YORK, INC., and WATCH TOWER BIBLE AND TRACT  
SOCIETY OF PENNSYLVANIA,

DEFENDANTS.

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DATE: March 7, 2024

TIME: 1:13 P.M.

VIDEO-RECORDED DEPOSITION of the  
Defendant by a witness, MARIO MORENO, taken  
by the respective parties, pursuant to a  
Notice and to the Federal Rules of Civil

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Procedure, held at the offices of Veritext  
Legal Solutions, 50 Main Street, Third  
Floor, White Plains, New York 10606, before  
Alison DiTuro, a Notary Public of the State  
of New York.

1 M. MORENO

2 assist them in carrying out their duties as  
3 elders -- Pay Attention to the Flock, it  
4 used to be called during the relevant time  
5 period, and now it's called the Shepherd  
6 book, yeah. Shepherd the Flock of God, but  
7 it used to be called Pay Attention to the  
8 Flock, yeah. And it would have information  
9 in there on -- explanation of the -- the  
10 Bible principle that you referred to as the  
11 two witness rule.

12 Q. Thank you.

13 And let's go to C under 35,  
14 which is how the two witness rule would  
15 apply to the question whether a judicial  
16 committee should be established in a  
17 situation. And the first example is where  
18 elders receive a report that a young girl  
19 in a congregation was sexually abused by  
20 another member of the congregation.

21 A. Yeah.

22 Q. The perpetrator -- the alleged  
23 perpetrator denies, and there are no other  
24 witnesses.

25 A. Okay. So there's a lot of

1 M. MORENO

2 moving parts here.

3 First of all, in terms of --  
4 'cause elders have various  
5 responsibilities. When they learn of  
6 something like this, there's legal  
7 responsibilities when it comes to child  
8 sexual abuse, which you are well aware of.

9 So one of the questions is do  
10 they have a legal duty to report it to the  
11 authorities, and that has nothing to do  
12 with the principle in Deuteronomy or in --  
13 in -- in Timothy or what the Bible says.  
14 That's based on secular law. Okay.

15 So it would not have anything  
16 to do with an elder's duty to report it.  
17 If the law requires reporting, the elders  
18 would be informed of that by the legal  
19 department who is familiar with the law.  
20 Elders are not going to be familiar with  
21 the laws unless they happen to have studied  
22 it and are lawyers.

23 So they call, and they -- and  
24 they get legal advice on whether the law in  
25 their jurisdiction requires reporting, and

1 M. MORENO

2 that evaluation is made strictly on the  
3 law. Okay? So I just want to make that  
4 clear.

5 Q. Thank you, and I appreciate  
6 that.

7 And subsection C is -- it's  
8 more specific to the judicial committees.  
9 I'm -- I appreciate the information --

10 A. Yeah.

11 Q. -- you just gave me, but --

12 A. Yeah. And that would be the  
13 second thing then. The second point is the  
14 elders, aside from handling that aspect of  
15 the matter, they have to determine whether  
16 or not to provide loving, pastoral care to  
17 the victim, and that has nothing to do with  
18 the two witness.

19 Let's say there's -- she's the  
20 only one. So say -- let's say it's a  
21 female victim. I think in this case, the  
22 hypothetical is a young girl; right? So if  
23 the young girl comes to the elders, the  
24 elders will -- they know that they're  
25 supposed to treat her with love and

1 M. MORENO

2 compassion and treat her as if she were a  
3 victim. Whether there is two witnesses or  
4 not to the fact that she's a victim, they  
5 will give her the pastoral care she  
6 needs -- and for that matter, her family  
7 members if they need it -- as if it did  
8 happen.

9 But then they have to make a  
10 determination as to what to do with the  
11 accused. And as to what to do with the  
12 accused, that's where this principle in the  
13 Bible would come into play. Do we have two  
14 witnesses --

15 Excuse me. Just got a little  
16 charley horse.

17 Q. No problem.

18 A. So I'm stretching.

19 MR. FITZGERALD: Do you need to  
20 take a break, Mario?

21 THE WITNESS: No. I can  
22 continue. It just went away.

23 A. So as far as the accused, the  
24 principle would apply there in terms of  
25 whether or not there was two witnesses that

1 M. MORENO

2 would allow the elders to form a judicial  
3 committee to determine whether the  
4 individual can remain a member of the  
5 congregation or should be disfellowshipped  
6 because child abuse is a -- not only is it  
7 a crime, but it's also a serious sin for  
8 which a person would be disfellowshipped if  
9 it can be scripturally established. And  
10 by that, I mean -- by scripturally  
11 established, I mean if you have two  
12 witnesses or an admission or a confession  
13 on the part of the accused.

14 So the elders would -- would do  
15 that investigation. They would find out if  
16 there's any other witnesses, and they'll  
17 talk to that person if there is. And if  
18 they had two, then they could form a  
19 judicial committee, and then they would be  
20 able to determine whether or not the  
21 individual should be disfellowshipped or  
22 not based on whether he was repentant or  
23 not for what had happened.

24 If there wasn't two witnesses  
25 or a confession, then scripturally, they



1 M. MORENO

2 could not form a judicial committee. And  
3 so that's -- would be the application or  
4 the relevance of the two witness rule.

5 For that said, let me see what  
6 else you have here. So you said if he  
7 denies it. So if he denies it and there's  
8 not a second witness -- no -- you cannot  
9 form a judicial committee.

10 Likewise, there's no other  
11 witnesses -- again, if there's only -- if  
12 only the victim is the only witness, then  
13 they would not be able to form a judicial  
14 committee.

15 Now, that doesn't mean that  
16 nothing else will happen. Okay? That  
17 doesn't mean that the elders believe that  
18 it didn't happen. Okay? It just means  
19 they're not authorized by the scriptures to  
20 form a judicial committee to potentially  
21 disfellowship the individual. It doesn't  
22 mean they don't believe it happened. It  
23 doesn't mean they're not going to be  
24 vigilant for the individual's conduct.  
25 Maybe take other steps, depending on the

1 M. MORENO

2 situation.

3 If they're in the same  
4 congregation, depending on the  
5 circumstances, they may recommend to the  
6 individual who's accused, maybe you ought  
7 to go to a different congregation so that,  
8 you know, the victim is not traumatized by  
9 seeing you at meetings or whatever. And so  
10 there's other things they might take in  
11 addition to if he remained in their  
12 congregation, to be vigilant of his  
13 activity.

14 And in certain situations,  
15 there -- there could be other consequences  
16 too based on one accusation. There's a lot  
17 of other factors that would come into play  
18 because sometimes you may not have two  
19 witnesses, but there's other smoke that  
20 gives a lot of credibility.

21 And so if an individual was  
22 serving an appointed position, it could  
23 be -- it could be, and it has happened --  
24 that he may be removed from his position as  
25 a ministerial servant or as an elder even

1 M. MORENO

2 on the basis of one witness if there's  
3 other reasons that would call for that --  
4 poor judgment on his part, maybe having  
5 been alone with the victim and -- or other  
6 things like that 'cause, you know, there  
7 are certain things elders are not supposed  
8 to do that may not lead to a  
9 disfellowshipping offense -- or ministerial  
10 servants shouldn't do for that matter --  
11 but could lead to their losing privileges.

12 Q. Thank you.

13 MR. STEPANS: I think we're at  
14 a good spot for a break.

15 THE VIDEOGRAPHER: Off the  
16 record 3:59 P.M. Eastern Standard  
17 Time.

18 (Whereupon, a short recess was  
19 taken.)

20 THE VIDEOGRAPHER: Back on the  
21 record 4:20 P.M. Eastern Standard  
22 Time.

23 Q. Mr. Moreno, going back to topic  
24 35, which is the two witness rule. Is  
25 there -- is there anything specific to